

10/11/2001
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02-15-01

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. IRC293 I4060/205649

First Inventor David D. Oakey

Title ORTHOGONALLY AMBIGUOUS CARPET TILE

Express Mail Label No. EL230342653US

J1017 U.S.P.T.O.
02/14/01
763354**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- Applicant claims small entity status.
See 37 CFR 1.27.
- Specification [Total Pages 12]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (*if filed*)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
- Oath or Declaration [Total Pages 3]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
8. Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 C.F.R. §3.73(b) Statement Power of Attorney (*when there is an assignee*)
11. English Translation Document (*if applicable*)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
15. Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Petition for Color Drawings Under 37 C.F.R. 1.84(a)(2); Request and Certification Under 35 U.S.C. 112(b)(2)(B)(i)

18. If a CONTINUATING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No: _____ / _____

Prior application information: Examiner _____

Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label		(Insert)			de-label here	<input type="checkbox"/> Correspondence address below	
Name	John S. Pratt			PATENT TRADEMARK OFFICE			
	Kilpatrick Stockton LLP						
Address	1100 Peachtree Street						
	Suite 2800						
City	Atlanta	State	Georgia	Zip Code	30309		
Country	USA	Telephone	404-815-6367	Fax	404-815-6555		

Name (Print/Type)	Kristin L. Johnson	Registration No. (Attorney/Agent)	44,807
Signature			Date February 14, 2001

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1268)

Complete if Known	
Application Number	not assigned
Filing Date	February 14, 2001
First Named Inventor	David D. Oakey
Examiner Name	not assigned
Group / Art Unit	not assigned
Attorney Docket No.	IRC293 I4060/205649

METHOD OF PAYMENT (check one)					FEE CALCULATION (continued)																																																																																																																																																																	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number <input type="text" value="11-0855"/> Deposit Account Name <input type="text" value="Kilpatrick Stockton LLP"/> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17					3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195 Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445 Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695 Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945 Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155 Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135 Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620 Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220 Design issue fee</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300 Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>130</td><td>123</td><td>130 Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180 Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355 For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900 Request for expedited examination of a design application</td><td></td></tr> <tr> <td colspan="5">Other fee (specify) Petition under 37 CFR 1.84(a)(2)</td> <td>130</td> </tr> <tr> <td colspan="5">*Reduced by Basic Filing Fee Paid</td> <td>SUBTOTAL (3) (\$ 130)</td> </tr> </tbody> </table>					Fee Code	Large Entity Fee (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge - 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**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																						

SUBMITTED BY						Complete (if applicable)
Name (Print/Type)	Kristin L. Johnson	Registration No. Attorney/Agent)	44,807	Telephone	404-815-6389	
Signature				Date	February 14, 2001	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	David D. Oakey
Title	ORTHOGONALLY AMBIGUOUS CARPET TILE
Atty Docket Number	IRC293 I4060/205649

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

February 14, 2001

Date

Signature

Kristin L. Johnson, Reg. 44,807

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must notify the United States Patent and Trademark Office** of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

GP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Oakey et al.

Serial No.: Not yet assigned Group Art Unit:

Filing Date: Examiner:

For: ORTHOGONALLY AMBIGUOUS CARPET TILE

Attorney Docket No. IRC293 I4060/205649

J1017 U.S. PRO
09/783354
02/14/01



PETITION FOR COLOR DRAWINGS UNDER 37 C.F.R. 1.84(a)(2)

Sir:

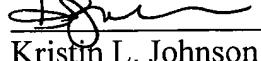
Applicants hereby petition the Commission for acceptance of color drawings in the above-identified application. The application relates to carpet tiles that exhibit "orthogonal ambiguity," meaning that the tiles may be placed in any orientation with respect to adjacent carpet tiles without looking out of place. The achievement of orthogonal ambiguity depends largely on the colors chosen and the orientation of those colors to form apparently random patterns on the carpet tile. The orthogonal ambiguity of the tiles can only be appreciated and understood if the tiles are depicted in color. Because visual appearance is the essence of the present invention, Applicants hereby request that the Commissioner allow color drawings in the above-identified application. Enclosed is a check to cover the appropriate petition fee under 37 C.F.R. § 1.17. No further fees are due; however, the Commissioner is authorized to debit deposit account 11-0855 to the extent necessary should any fees be due. Additionally, the specification, with which the required three sets of color drawings are included, contains the necessary recitals in accordance with 37 C.F.R. § 1.84(a)(2).

02/21/2001 EFLORES 00000045 09783354

04 FC:122

130.00 OP

Respectfully submitted,


Kristin L. Johnson
Reg. No. 44,807

KILPATRICK STOCKTON LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia 30309

PATENTS

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant(s): Oakey et al.

USSN: not assigned

Filing Date: February 14, 2001

Art Unit: not assigned

Examiner: not assigned

For: ORTHOGONALLY AMBIGUOUS CARPET TILE

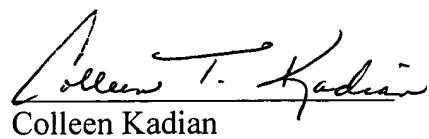
Attorney Docket No. : IRC293 I4060/205649

"EXPRESS MAIL" mailing label number: EL230342653US

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAILING (37 CFR 1.10)

I hereby certify that this UTILITY PATENT APPLICATION TRANSMITTAL FORM AND ALL DOCUMENTS REFERRED TO THEREIN are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to the Assistant Commissioner for Patents, BOX PATENT APPLICATION, Washington, D.C. 20231.



Colleen Kadian

Date: 14 February, 2001